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OCA 86-3092
16 September 1986

MEMORANDUM FOR: C/PB/PPG/OS
C/ALD/OGC
C/ICAD/OGC

FROM: Legislation Division
Office of Congressional Affairs

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SUBJECT: Draft Substitute for S. 1815 - Banning Private Use of
Polygraphs

1. Attached for your information and comment is a copy of a draft bill prepared by Senator Hatch's staff on the Senate Labor and Human Relations Committee. It would be offered in substitution for S. 1815, a bill which you will recall was introduced by Senator Hatch to ban the private use of polygraphs and reported out by the Committee as introduced.

2. The exemption for Agency contractors in the original version of S. 1815 was deficient. This draft improves the exemption by adopting the version of the exemption contained in the House-passed version of this legislation, H.R. 1524 (Section 208(b) - pp 13-14).

3. The Senator's staff is circulating the bill among interested parties for comment. It appears he is attempting to obtain a consensus so that it may be offered in the remaining days of this Congress, perhaps as a rider to a continuing resolution or other "must pass" legislation. As you may recall, though, several other Senators have strongly objected to the bill and the Department of Justice has threatened a veto recommendation. Thus, the bill is facing difficult odds.

4. The exemption as drafted appears to meet the Agency's concerns. We would, however, appreciate your comments.

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Attachment
as stated

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